

6-27-05

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FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
TLO-2-PCT/MinoriTRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/540600

INTERNATIONAL APPLICATION NO.

PCT/JP2003/16641

INTERNATIONAL FILING DATE

December 24, 2003

PRIORITY DATE CLAIMED

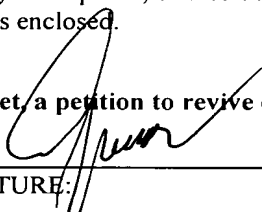
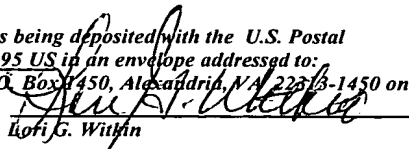
December 27, 2002 &amp; September 29, 2003

TITLE OF INVENTION MULTILAYER OBSERVATION OPTICAL MICROSCOPE AND MULTILAYER OBSERVATION UNIT

APPLICANT(S) FOR DO/EO/US Tetsuro TAKAMATSU, Katsumasa FUJITA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a. ☒ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
    - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☒ Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included and fee.
  13. ☒ A FIRST preliminary amendment.
  14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
  15. ☐ A substitute specification.
  16. ☐ A change of power of attorney and/or address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
  18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
  20. ☒ Other items or information: **Receipt Acknowledgement Postcard**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/540600</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/16641</b>		ATTORNEY'S DOCKET NUMBER <b>TLO-2-PCT/Minori</b>	
21. <input checked="" type="checkbox"/> THE FOLLOWING BASIC NATIONAL FEES ARE SUBMITTED:					
<input checked="" type="checkbox"/> Basic National Stage Fee.....\$300.00					
<input checked="" type="checkbox"/> National Stage Search Fee.....\$500.00					
<input checked="" type="checkbox"/> National Stage Examination Fee.....\$200.00					
<input type="checkbox"/> National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets.....\$250.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$1,000.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	7 - 20 =	0	x \$50.00	\$0.00	
Independent claims	2 3 =	0	x \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,000.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$500.00</b>	
<b>SUBTOTAL =</b>				<b>\$500.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$500.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				<b>\$40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$540.00</b>	
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of <b>\$540.00</b> to cover the above fees and Assignment recordal is enclosed . b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>11-1145</b> . A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b> <b>SEND ALL CORRESPONDENCE TO:</b>					
<b>KIRSCHSTEIN, OTTINGER, ISRAEL &amp; SCHIFFMILLER, P.C.</b> 489 Fifth Avenue New York, New York 10017 (212) 697-3750				SIGNATURE:  <b>Alan Israel</b> NAME <b>27,564</b> REGISTRATION NUMBER	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. EV 667 160 495 US in an envelope addressed to: Box: PCT, Commissioner for Patents, P. O. Box 450, Alexandria, VA 22303-1450 on: <u>June 24, 2005</u> (date)  Lori G. Wilkin					